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★ MAY 29 2009 ★

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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

----- BROOKLYN OFFICE

JAMIE KATZ and LISA NOCERA, on behalf of :
themselves and others similarly situated, :

Plaintiffs, :

- against - :

BROWN HARRIS STEVENS BROOKLYN LLC, :
BRIAN LEHNER, MIYA SIGNOR, AILEEN :
TRUESDALE, and JANE/JOHN DOB 1-10, :

Defendants. :

: Civ. No. 08 1698 (ECF)
: STIPULATION OF SETTLEMENT
: AND DISCONTINUANCE WITH
: PREJUDICE

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WHEREAS, Jamie Katz and Lisa Nocera (collectively "Plaintiffs") filed a complaint on April 24, 2008 (the "Complaint"), alleging that Brown Harris Stevens Brooklyn LLC ("BHS"), Brian Lehner, Miya Signor, and Aileen Truesdale (collectively "Defendants") violated federal, state, and city fair housing laws by repeatedly denying Plaintiffs housing and discouraging them from viewing and renting apartments because they have a child or, at one point, were expecting one;

WHEREAS, Plaintiffs also allege that Defendants have a policy, practice, and custom of discriminating against renters on the basis of familial status;

WHEREAS, Defendants deny that they have taken any action or committed any wrongdoing or discrimination which violates federal, state, or city fair housing laws; and

WHEREAS, the parties wish to voluntarily resolve the claims raised in the Complaint, according to the terms set forth in a Confidential Settlement Agreement, in order to avoid the cost and uncertainty of litigation;

IT IS HEREBY STIPULATED AND AGREED by and between the parties as follows:

1. The parties have settled this Action in accordance with a Confidential Settlement Agreement So-Ordered by the Court and filed under seal.
2. As a part of the settlement, the parties have endorsed mechanisms and procedures designed to ensure that all fair housing laws are adhered to. Defendants' non-discrimination policy is publicly available on their web page and at their offices.
3. Pursuant to Fed.R.Civ.P. 41(a), by and between the undersigned attorneys of record, that the above-captioned proceeding be, and hereby is, discontinued in its entirety, with prejudice, against Defendants, without fees or costs against either party.

Dated: New York, New York

March 24, 2009

EMERY CELLI BRINCKERHOFF &
ABADY LLP

By:

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Mariann Meier Wang
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So Ordered.

HERRICK, FEINSTEIN LLP

By:

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s/RERJ

U.S.M.J.